

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	<b>8:05CR162</b>
<b>vs.</b>	)	
	)	<b>ORDER</b>
<b>RUBEN LOPEZ CAZARES,</b>	)	
	)	
<b>Defendant.</b>	)	

This matter is before the court on defendant's MOTION FOR CONTINUANCE [29]. For good cause shown<sup>1</sup>, the motion will be granted. Since the court was previously advised that this case will require a two-week trial,

**IT IS ORDERED** that defendant's Motion [29] is granted, as follows:

1. Trial of this matter is continued to **Tuesday, November 22, 2005**.
2. The ends of justice will be served by granting defendant's motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **September 13, 2005 and November 22, 2005**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act, because counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel and the novelty and complexity of this case, and the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).
3. Defendant shall file the speedy trial waiver required by NECrimR 12.1 or 12.3(a) as soon as is practicable.

**DATED September 9, 2005.**

**BY THE COURT:**

s/ **F.A. Gossett**  
**United States Magistrate Judge**

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<sup>1</sup>I note that defendant is attempting to obtain co-counsel. Since the deadline for filing pretrial motions has expired, defendant will be required to seek an extension of that deadline if he wishes to file pretrial motions after retaining new counsel.